



House of Representatives

File No. 625

General Assembly

February Session, 2012

(Reprint of File No. 383)

Substitute House Bill No. 5217
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 3, 2012

AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of section 17a-1 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (3) "Advisory committee" means the Children's Behavioral Health
5 Advisory Committee; [to the council;]

6 Sec. 2. Subsection (a) of section 17a-4 of the 2012 supplement to the
7 general statutes is repealed and the following is substituted in lieu
8 thereof (*Effective October 1, 2012*):

9 (a) There shall be a State Advisory Council on Children and
10 Families which shall consist of nineteen members as follows: (1)
11 Thirteen members appointed by the Governor, including at least [five]
12 two persons who are child care professionals, two persons eighteen to
13 twenty-five years of age, inclusive, served by the Department of

14 Children and Families, one child psychiatrist licensed to practice
15 medicine in this state and at least one attorney who has expertise in
16 legal issues related to children and youth [. The balance of the advisory
17 council] and seven persons who shall be representative of young
18 persons, parents and others interested in the delivery of services to
19 children and youths, including child protection, behavioral health,
20 juvenile justice and prevention services, [. No less than fifty per cent of
21 the council's members shall be parents, foster parents or family
22 members of children who have received, or are receiving, behavioral
23 health services, child welfare services or juvenile services and] at least
24 four of whom shall be parents, foster parents or family members of
25 children who have received, or are receiving, behavioral health
26 services, child welfare services or juvenile services; and (2) six
27 members representing the regional advisory councils established
28 pursuant to section 17a-30, appointed one each by the members of each
29 council. On and after October 1, 2014, no more than half the members
30 of the council shall be persons who receive income from a private
31 practice or any public or private agency that delivers mental health,
32 substance abuse, child abuse prevention and treatment, child welfare
33 services or juvenile services. Members of the council shall serve
34 without compensation, except for necessary expenses incurred in the
35 performance of their duties. The Department of Children and Families
36 shall provide the council with funding to facilitate the participation of
37 those members representing families and youth, as well as for other
38 administrative support services. Members shall serve on the council
39 for terms of two years each and no member shall serve for more than
40 [two] three consecutive terms. The commissioner shall be an ex-officio
41 member of the council without vote and shall attend its meetings. Any
42 member who fails to attend three consecutive meetings or fifty per cent
43 of all meetings during any calendar year shall be deemed to have
44 resigned. The council shall elect a chairperson and vice-chairperson to
45 act in the chairperson's absence.

46 Sec. 3. Section 17a-4a of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective October 1, 2012*):

48 (a) There is established a Children's Behavioral Health Advisory
49 Committee [to the State Advisory Council on Children and Families]
50 which shall promote and enhance the provision of behavioral health
51 services for all children in this state.

52 (b) The Children's Behavioral Health Advisory Committee shall be
53 composed of the following ex-officio voting members: (1) The
54 Commissioner of Children and Families or the commissioner's
55 designee; (2) the Commissioner of Social Services or the
56 commissioner's designee; (3) the Executive Director of the Children's
57 Health Council or said director's designee; (4) the Chief Court
58 Administrator or said administrator's designee; (5) the Commissioner
59 of Education or the commissioner's designee; (6) the Commissioner of
60 Mental Health and Addiction Services or the commissioner's designee;
61 (7) the Commissioner of Developmental Services or the commissioner's
62 designee; (8) the executive director of the Office of Protection and
63 Advocacy for Persons with Disabilities or the director's designee; and
64 the following public members: (A) Two members appointed by the
65 Governor, one of whom shall be a parent of a child who receives
66 behavioral health services and one of whom shall be a provider of
67 behavioral health services; (B) six members, one of whom shall be
68 appointed by the president pro tempore of the Senate, one of whom
69 shall be appointed by the speaker of the House of Representatives, one
70 of whom shall be appointed by the majority leader of the Senate, one
71 of whom shall be appointed by the majority leader of the House of
72 Representatives, one of whom shall be appointed by the minority
73 leader of the Senate and one of whom shall be appointed by the
74 minority leader of the House of Representatives, and all of whom shall
75 be knowledgeable on issues relative to children in need of behavioral
76 health services and family supports; and (C) sixteen members
77 appointed by the [chairperson of the State Advisory Council on]
78 Commissioner of Children and Families. The membership of the
79 advisory committee shall fairly and adequately represent parents of
80 children who have a serious emotional disturbance. At least fifty-one
81 per cent of the members of the advisory committee shall be persons

82 who are parents or relatives of a child who has or had a serious
83 emotional disturbance or persons who had a serious emotional
84 disturbance as children and no more than half the members of the
85 committee shall be persons who receive income from a private practice
86 or any public or private agency that delivers behavioral health
87 services.

88 (c) All appointments to the advisory committee shall be made no
89 later than sixty days after July 1, 2000. Any vacancy shall be filled by
90 the appointing authority. Members shall serve two-year terms and no
91 public member shall serve for more than two consecutive terms.

92 (d) The advisory committee shall elect two cochairpersons from
93 among its members, one of whom shall be the parent of a child with a
94 serious emotional disturbance. The advisory committee shall meet at
95 least bimonthly. Members of the advisory committee shall serve
96 without compensation, except for necessary expenses incurred in the
97 performance of their duties.

98 (e) Not later than October first of each year, the advisory committee
99 shall submit a status report on local systems of care and practice
100 standards for state-funded behavioral health programs to the
101 Commissioner of Children and Families and the State Advisory
102 Council on Children and Families.

103 (f) Not later than October first of each odd-numbered year, the
104 advisory committee shall submit recommendations concerning the
105 provision of behavioral health services for all children in the state to
106 the Commissioner of Children and Families and the State Advisory
107 Council on Children and Families. The recommendations shall
108 address, but shall not be limited to, the following: (1) The target
109 population for children with behavioral health needs, and assessment
110 and benefit options for children with such needs; (2) the
111 appropriateness and quality of care for children with behavioral health
112 needs; (3) the coordination of behavioral health services provided
113 under the HUSKY Plan with services provided by other publicly-

114 funded programs; (4) performance standards for preventive services,
115 family supports and emergency service training programs; (5)
116 assessments of community-based and residential care programs; (6)
117 outcome measurements by reviewing provider practice; and (7) a
118 medication protocol and standards for the monitoring of medication
119 and after-care programs.

120 Sec. 4. Subsection (d) of section 17a-28 of the 2012 supplement to the
121 general statutes is repealed and the following is substituted in lieu
122 thereof (*Effective October 1, 2012*):

123 (d) Any information disclosed from a person's record shall not be
124 further disclosed to another individual or entity without the written
125 consent of the person, except [pursuant to] (1) pursuant to section 19a-
126 80 or 19a-80f, provided such disclosure is otherwise permitted
127 pursuant to subsections (b) and (c) of this section, [or] (2) pursuant to
128 the order of a court of competent jurisdiction, or (3) as otherwise
129 provided by law.

130 Sec. 5. Subsection (g) of section 17a-28 of the 2012 supplement to the
131 general statutes is repealed and the following is substituted in lieu
132 thereof (*Effective October 1, 2012*):

133 (g) The department shall disclose records, subject to subsections (b)
134 and (c) of this section, without the consent of the person who is the
135 subject of the record, to:

136 (1) The person named in the record or such person's authorized
137 representative, provided such disclosure shall be limited to
138 information (A) contained in the record about such person or about
139 such person's biological or adoptive minor child, if such person's
140 parental rights to such child have not been terminated; and (B)
141 information identifying an individual who reported abuse or neglect of
142 the person, including any tape recording or an oral report pursuant to
143 section 17a-103, as amended by this act, if a court determines that there
144 is reasonable cause to believe the reporter knowingly made a false
145 report or that the interests of justice require disclosure;

- 146 (2) An employee of the department for any purpose reasonably
147 related to the business of the department;
- 148 (3) A guardian ad litem or attorney appointed to represent a child or
149 youth in litigation affecting the best interests of the child or youth;
- 150 (4) The Attorney General, any assistant attorney general or any
151 other legal counsel retained to represent the department during the
152 course of a legal proceeding involving the department or an employee
153 of the department;
- 154 (5) The Child Advocate or the Child Advocate's designee;
- 155 (6) The Chief Public Defender or the Chief Public Defender's
156 designee for purposes of ensuring competent representation by the
157 attorneys with whom the Chief Public Defender contracts to provide
158 legal and guardian ad litem services to the subjects of such records and
159 for ensuring accurate payments for services rendered by such
160 attorneys;
- 161 (7) The Chief State's Attorney or the Chief State's Attorney's
162 designee for purposes of investigating or prosecuting an allegation [of]
163 related to child abuse or neglect, provided such prosecuting authority
164 shall have access to records of a delinquency defendant, who is not
165 being charged with an offense related to child abuse, only while the
166 case is being prosecuted and after obtaining a release;
- 167 (8) A state or federal law enforcement officer for purposes of
168 investigating an allegation [of] related to child abuse or neglect;
- 169 (9) Any foster or prospective adoptive parent, if the records pertain
170 to a child or youth currently placed with the foster or prospective
171 adoptive parent, or a child or youth being considered for placement
172 with the foster or prospective adoptive parent, and the records are
173 necessary to address the social, medical, psychological or educational
174 needs of the child or youth, provided no information identifying a
175 biological parent is disclosed without the permission of such biological

176 parent;

177 (10) The Governor, when requested in writing in the course of the
178 Governor's official functions, the Legislative Program Review and
179 Investigations Committee, the joint standing committees of the General
180 Assembly having cognizance of matters relating to human services and
181 the judiciary and the select committee of the General Assembly having
182 cognizance of matters relating to children, when requested in writing
183 in the course of said committees' official functions, and upon a
184 majority vote of said committees, provided no names or other
185 identifying information is disclosed unless it is essential to the
186 gubernatorial or legislative purpose;

187 (11) The Department of Public Health for the purpose of (A)
188 determining the suitability of a person to care for children in a facility
189 licensed pursuant to section 19a-77, 19a-80 or 19a-87b; (B) determining
190 the suitability of such person for licensure; or (C) an investigation
191 conducted pursuant to section 19a-80f;

192 (12) The Department of Developmental Services, to allow said
193 department to determine eligibility, facilitate enrollment and plan for
194 the provision of services to a child who is a client of said department
195 and who is applying to enroll in or is enrolled in said department's
196 voluntary services program. At the time that a parent or guardian
197 completes an application for enrollment of a child in the Department of
198 Developmental Services' voluntary services program, or at the time
199 that said department updates a child's annual individualized plan of
200 care, said department shall notify such parent or guardian that the
201 Department of Children and Families may provide records to the
202 Department of Developmental Services for the purposes specified in
203 this subdivision without the consent of such parent or guardian;

204 (13) A state agency that licenses or certifies a person to educate or
205 care for children or youth;

206 (14) A judge or employee of a probate court who requires access to
207 such records in order to perform such judge's or employee's official

208 duties;

209 (15) A judge of the Superior Court for purposes of determining the
210 appropriate disposition of a child convicted as delinquent or a child
211 who is a member of a family with service needs, or a judge of the
212 Superior Court in a criminal prosecution for purposes of in-camera
213 inspection whenever (A) the court has ordered that the record be
214 provided to the court; or (B) a party to the proceeding has issued a
215 subpoena for the record;

216 (16) A judge of the Superior Court and all necessary parties in a
217 family violence proceeding when such records concern family violence
218 with respect to the child who is the subject of the proceeding or the
219 parent of such child who is the subject of the proceeding;

220 (17) The Auditors of Public Accounts, or their representative,
221 provided no information identifying the subject of the record is
222 disclosed unless such information is essential to an audit conducted
223 pursuant to section 2-90;

224 (18) A local or regional board of education, provided the records are
225 limited to educational records created or obtained by the state or
226 Connecticut Unified School District #2, established pursuant to section
227 17a-37;

228 (19) The superintendent of schools for any school district for the
229 purpose of determining the suitability of a person to be employed by
230 the local or regional board of education for such school district
231 pursuant to subsection (a) of section 10-221d;

232 [(19)] (20) The Department of Motor Vehicles for the purpose of
233 criminal history records checks pursuant to subsection (e) of section
234 14-44, provided information disclosed pursuant to this subdivision
235 shall be limited to [information obtained in an investigation conducted
236 pursuant to section 17a-101g and information contained in the abuse
237 and neglect registry pursuant to section 17a-101k] information
238 included on the Department of Children and Families child abuse and

239 neglect registry established pursuant to section 17a-101k, subject to the
240 provisions of sections 17a-101g and 17a-101k concerning the
241 nondisclosure of findings of responsibility for abuse and neglect; [and]

242 [(20)] (21) The Department of Mental Health and Addiction Services
243 for the purpose of treatment planning for young adults who have
244 transitioned from the care of the Department of Children and Families;
245 and

246 (22) The superintendent of a public school district or the executive
247 director or other head of a public or private institution for children
248 providing care for children or a private school pursuant to sections
249 17a-101b, 17a-101c and 17a-101i, as amended by this act.

250 Sec. 6. Section 17a-32 of the general statutes is repealed and the
251 following is substituted in lieu thereof (*Effective October 1, 2012*):

252 (a) The name of the Department of Children and Families facility at
253 Connecticut Valley Hospital [shall be Riverview Hospital for Children
254 and Youth] in the city of Middletown shall be the Albert J. Solnit
255 Children's Center - South Campus.

256 (b) The name of the Department of Children and Families facility in
257 the city of Middletown shall be the Connecticut Juvenile Training
258 School.

259 (c) The name of the Department of Children and Families facility in
260 the town of East Windsor shall be the [Connecticut Children's Place]
261 Albert J. Solnit Children's Center - North Campus.

262 [(d) The name of the Department of Children and Families facility in
263 the town of Hamden shall be High Meadows.]

264 [(e)] (d) The name of the Department of Children and Families
265 facility in the town of Hartland shall be the Wilderness School.

266 Sec. 7. Section 17b-221a of the general statutes is repealed and the
267 following is substituted in lieu thereof (*Effective October 1, 2012*):

268 For the fiscal year ending June 30, 2002, and each fiscal year
269 thereafter, revenue received by the Department of Administrative
270 Services-Financial Services Center/Collections from Medicaid care
271 management plans for services performed at [Riverview Hospital]
272 Albert J. Solnit Children's Center - South Campus shall be deposited in
273 the General Fund and credited to a nonlapsing account in the
274 Department of Social Services and shall be available for expenditure by
275 the Department of Social Services for the payment of Medicaid claims.

276 Sec. 8. Section 17a-101 of the 2012 supplement to the general statutes
277 is repealed and the following is substituted in lieu thereof (*Effective*
278 *October 1, 2012*):

279 (a) The public policy of this state is: To protect children whose
280 health and welfare may be adversely affected through injury and
281 neglect; to strengthen the family and to make the home safe for
282 children by enhancing the parental capacity for good child care; to
283 provide a temporary or permanent nurturing and safe environment for
284 children when necessary; and for these purposes to require the
285 reporting of suspected child abuse or neglect, investigation of such
286 reports by a social agency, and provision of services, where needed, to
287 such child and family.

288 (b) The following persons shall be mandated reporters: Any
289 physician or surgeon licensed under the provisions of chapter 370, any
290 resident physician or intern in any hospital in this state, whether or not
291 so licensed, any registered nurse, licensed practical nurse, medical
292 examiner, dentist, dental hygienist, psychologist, a school employee, as
293 defined in section 53a-65, social worker, police officer, juvenile or adult
294 probation officer, juvenile or adult parole officer, member of the clergy,
295 pharmacist, physical therapist, optometrist, chiropractor, podiatrist,
296 mental health professional or physician assistant, any person who is a
297 licensed or certified emergency medical services provider, any person
298 who is a licensed or certified alcohol and drug counselor, any person
299 who is a licensed marital and family therapist, any person who is a
300 sexual assault counselor or a battered women's counselor as defined in

301 section 52-146k, any person who is a licensed professional counselor,
302 any person who is a licensed foster parent, any person paid to care for
303 a child in any public or private facility, child day care center, group
304 day care home or family day care home licensed by the state, any
305 employee of the Department of Children and Families, any employee
306 of the Department of Public Health who is responsible for the licensing
307 of child day care centers, group day care homes, family day care
308 homes or youth camps, the Child Advocate and any employee of the
309 Office of the Child Advocate and any family relations counselor,
310 family relations counselor trainee or family services supervisor
311 employed by the Judicial Department.

312 (c) The Commissioner of Children and Families shall develop an
313 educational training program and refresher training program for the
314 accurate and prompt identification and reporting of child abuse and
315 neglect. Such training program and refresher training program shall be
316 made available to all persons mandated to report child abuse and
317 neglect at various times and locations throughout the state as
318 determined by the Commissioner of Children and Families. Such
319 training program shall be provided to all new school employees, as
320 defined in section 53a-65, within available appropriations.

321 [(d) Any mandated reporter, as defined in subsection (b) of this
322 section, who fails to report to the Commissioner of Children and
323 Families pursuant to section 17a-101a shall be required to participate in
324 an educational and training program established by the commissioner.
325 The program may be provided by one or more private organizations
326 approved by the commissioner, provided the entire costs of the
327 program shall be paid from fees charged to the participants, the
328 amount of which shall be subject to the approval of the commissioner.]

329 [(e)] (d) On or before October 1, 2011, the Department of Children
330 and Families, in consultation with the Department of Education, shall
331 develop a model mandated reporting policy for use by local and
332 regional boards of education. Such policy shall state applicable state
333 law regarding mandated reporting and any relevant information that

334 may assist school districts in the performance of mandated reporting.
335 Such policy shall include, but not be limited to, the following
336 information: (1) Those persons employed by the local or regional board
337 of education who are required pursuant to this section to be mandated
338 reporters, (2) the type of information that is to be reported, (3) the time
339 frame for both written and verbal mandated reports, (4) a statement
340 that the school district may conduct its own investigation into an
341 allegation of abuse or neglect by a school employee, provided such
342 investigation does not impede an investigation by the Department of
343 Children and Families, and (5) a statement that retaliation against
344 mandated reporters is prohibited. Such policy shall be updated and
345 revised as necessary.

346 Sec. 9. Section 17a-101a of the 2012 supplement to the general
347 statutes is repealed and the following is substituted in lieu thereof
348 (*Effective October 1, 2012*):

349 (a) Any mandated reporter, as defined in section 17a-101, as
350 amended by this act, who in the ordinary course of such person's
351 employment or profession has reasonable cause to suspect or believe
352 that any child under the age of eighteen years (1) has been abused or
353 neglected, as defined in section 46b-120, (2) has had nonaccidental
354 physical injury, or injury which is at variance with the history given of
355 such injury, inflicted upon such child, or (3) is placed at imminent risk
356 of serious harm, shall report or cause a report to be made in
357 accordance with the provisions of sections 17a-101b to 17a-101d,
358 inclusive.

359 (b) Any person required to report under the provisions of this
360 section who fails to make such report or fails to make such report
361 within the time period prescribed in sections 17a-101b to 17a-101d,
362 inclusive, and section 17a-103, as amended by this act, shall be fined
363 not less than five hundred dollars or more than two thousand five
364 hundred dollars and shall be required to participate in an educational
365 and training program. [pursuant to subsection (d) of section 17a-101]
366 The program may be provided by one or more private organizations

367 approved by the commissioner, provided the entire cost of the
368 program shall be paid from fees charged to the participants, the
369 amount of which shall be subject to the approval of the commissioner.

370 (c) The Commissioner of Children and Families, or the
371 commissioner's designee, shall promptly notify the Chief State's
372 Attorney when there is reason to believe that any such person has
373 failed to make a report in accordance with this section.

374 Sec. 10. Section 17a-101e of the general statutes is repealed and the
375 following is substituted in lieu thereof (*Effective October 1, 2012*):

376 (a) No employer shall discharge, or in any manner discriminate or
377 retaliate against, any employee who in good faith makes a report
378 pursuant to sections 17a-101a to 17a-101d, inclusive, as amended by
379 this act, and 17a-103, as amended by this act, testifies or is about to
380 testify in any proceeding involving child abuse or neglect. The
381 Attorney General may bring an action in Superior Court against an
382 employer who violates this subsection. The court may assess a civil
383 penalty of not more than two thousand five hundred dollars and may
384 order such other equitable relief as the court deems appropriate.

385 (b) Any person, institution or agency which, in good faith, makes, or
386 in good faith does not make, the report pursuant to sections 17a-101a
387 to 17a-101d, inclusive, as amended by this act, and 17a-103, as
388 amended by this act, shall be immune from any liability, civil or
389 criminal, which might otherwise be incurred or imposed and shall
390 have the same immunity with respect to any judicial proceeding which
391 results from such report provided such person did not perpetrate or
392 cause such abuse or neglect.

393 (c) Any person who is alleged to have knowingly made a false
394 report of child abuse or neglect pursuant to sections 17a-101a to 17a-
395 101d, inclusive, as amended by this act, and 17a-103, as amended by
396 this act, shall be referred to the office of the Chief State's Attorney for
397 purposes of a criminal investigation.

398 [(c)] (d) Any person who knowingly makes a false report of child
399 abuse or neglect pursuant to sections 17a-101a to 17a-101d, inclusive,
400 as amended by this act, and 17a-103, as amended by this act, shall be
401 fined not more than two thousand dollars or imprisoned not more
402 than one year or both.

403 Sec. 11. Subsection (e) of section 17a-101i of the 2012 supplement to
404 the general statutes is repealed and the following is substituted in lieu
405 thereof (*Effective October 1, 2012*):

406 (e) On or before February 1, 2012, each local and regional board of
407 education shall adopt a written policy, in accordance with the
408 provisions of subsection [(e)] (d) of section 17a-101, as amended by this
409 act, regarding the reporting by school employees, as defined in section
410 53a-65, of suspected child abuse in accordance with sections 17a-101a
411 to 17a-101d, inclusive, as amended by this act, and 17a-103, as
412 amended by this act. Such policy shall be distributed annually to all
413 school employees employed by the local or regional board of
414 education. The local or regional board of education shall document
415 that all such school employees have received such written policy and
416 completed the training and refresher training programs required by
417 subsection (c) of section 17a-101, as amended by this act.

418 Sec. 12. Subsection (b) of section 17a-101o of the 2012 supplement to
419 the general statutes is repealed and the following is substituted in lieu
420 thereof (*Effective October 1, 2012*):

421 (b) The Department of Children and Families shall develop a policy
422 for the investigation of delayed reports by mandated reporters. Such
423 policy shall include, but not be limited to, when referrals to the
424 appropriate law enforcement agency for delayed reporting are
425 required and when the department shall require mandated reporters
426 who have been found to have delayed making a report to participate in
427 the educational and training program pursuant to subsection [(d)] (b)
428 of section [17a-101] 17a-101a, as amended by this act.

429 Sec. 13. Subsection (a) of section 17a-103 of the general statutes is

430 repealed and the following is substituted in lieu thereof (*Effective*
431 *October 1, 2012*):

432 (a) Any mandated reporter acting outside his professional capacity
433 and any other person having reasonable cause to suspect or believe
434 that any child under the age of eighteen is in danger of being abused,
435 or has been abused or neglected, as defined in section 46b-120, may
436 cause a written or oral report to be made to the Commissioner of
437 Children and Families or his representative or a law enforcement
438 agency. The Commissioner of Children and Families or his
439 representative shall use his best efforts to obtain the name and address
440 of a person who causes a report to be made pursuant to this section. In
441 the case of an oral report, such report shall be recorded on tape and the
442 commissioner or his representative shall announce to the person
443 making such report that such report is being recorded and shall state
444 the penalty for knowingly making a false report of child abuse or
445 neglect under subsection [(c)] (d) of section 17a-101e, as amended by
446 this act.

447 Sec. 14. Subsection (a) of section 52-259a of the general statutes is
448 repealed and the following is substituted in lieu thereof (*Effective*
449 *October 1, 2012*):

450 (a) Any member of the Division of Criminal Justice or the Division
451 of Public Defender Services, any employee of the Judicial Department,
452 acting in the performance of such employee's duties, the Attorney
453 General, an assistant attorney general, the Consumer Counsel, any
454 attorney employed by the Office of Consumer Counsel within the
455 Department of Energy and Environmental Protection, the Department
456 of Revenue Services, the Commission on Human Rights and
457 Opportunities, the Freedom of Information Commission, the Board of
458 Labor Relations, the Office of Protection and Advocacy for Persons
459 with Disabilities, the Office of the Victim Advocate, [or] the
460 Department of Social Services or the Department of Children and
461 Families, or any attorney appointed by the court to assist any of them
462 or to act for any of them in a special case or cases, while acting in such

463 attorney's official capacity or in the capacity for which such attorney
464 was appointed, shall not be required to pay the fees specified in
465 sections 52-258, 52-259, and 52-259c, subsection (a) of section 52-356a,
466 subsection (a) of section 52-361a, section 52-367a, subsection (b) of
467 section 52-367b and subsection (n) of section 46b-231.

468 Sec. 15. Section 17a-107 of the general statutes is repealed and the
469 following is substituted in lieu thereof (*Effective from passage*):

470 On or before February 1, 1987, the Commissioner of [Youth
471 Services] Children and Families shall adopt such regulations, in
472 accordance with the provisions of chapter 54, as are necessary to carry
473 out the provisions of [subsection (e) of section 17a-101] section 17a-
474 101g.

475 Sec. 16. (NEW) (*Effective October 1, 2012*) (a) If the Superior Court
476 grants a petition to terminate parental rights and appoints the
477 Commissioner of Children and Families as statutory parent, the
478 commissioner may, after the expiration of any appeal or appeal period,
479 file a petition for adoption, together with a written agreement of
480 adoption, in the Superior Court that granted the termination of
481 parental rights.

482 (b) All social studies, psychological reports and court documents
483 previously filed in the termination of parental rights proceeding shall
484 be available to the court, subject to the rules of evidence, for review
485 and consideration in acting upon the petition for adoption of such
486 child. The court shall, to the extent possible, protect the confidentiality
487 of biological relatives, unless such information has been previously
488 disclosed.

489 (c) The Department of Children and Families shall prepare and
490 submit with the petition for adoption an adoption social study
491 regarding the proposed adoption, which shall include, but not be
492 limited to, information required in reports filed with courts of probate
493 pursuant to subdivisions (2) and (3) of subsection (b) of section 45a-727
494 of the general statutes. All studies and reports filed with or subsequent

495 to the filing of the petition for adoption shall be available to the
496 adoptive parents. The studies and reports shall be admissible in
497 evidence subject to the right of any interested party to require that the
498 person making it appear as a witness, if available, and such person
499 shall be subject to examination. The court shall, to the extent possible,
500 protect the confidentiality of the biological relatives, unless such
501 information has been previously disclosed.

502 (d) Upon receipt of the petition and the adoption social study, the
503 court shall set a time and date for a hearing and shall give reasonable
504 notice to the Department of Children and Families and all other parties
505 of the adoption agreement, the child, if over twelve years of age, the
506 attorney for the child, and any such other parties, as the court may
507 require.

508 (e) Prior to acting on the petition, the court may continue the matter
509 for further investigation and report, issue orders of notice or take other
510 action. At the hearing, the court may deny the petition, or, if the court
511 is satisfied that the adoption is in the best interests of the child, the
512 court shall enter a decree approving the adoption.

513 (f) The adoptive parents shall be entitled to receive copies of the
514 records and other information relating to the history of the child
515 maintained by the commissioner. The adoptive parents shall be
516 entitled to receive copies of the records, provided, if required by law,
517 the copies have been edited to protect the identity of the biological
518 parents and any other person whose identity is confidential.

519 (g) The provisions of subdivision (3) of subsection (c) of section 45a-
520 727 of the general statutes, sections 45a-731, 45a-732, 45a-736, 45a-737,
521 45a-743 to 45a-746, inclusive, 45a-748 to 45a-753, inclusive, 45a-755 and
522 45a-756 of the general statutes shall apply to adoption proceedings in
523 the Superior Court and the Superior Court shall have all the powers
524 granted to probate courts under said subdivision and sections.

525 Sec. 17. Subdivision (1) of subsection (a) of section 46b-121 of the
526 2012 supplement to the general statutes, as amended by section 83 of

527 public act 09-7 of the September special session and section 6 of public
528 act 11-240, is repealed and the following is substituted in lieu thereof
529 (*Effective October 1, 2012*):

530 (a) (1) Juvenile matters in the civil session include all proceedings
531 concerning uncared-for, neglected or abused children and youths
532 within this state, termination of parental rights of children committed
533 to a state agency, adoption proceedings pursuant to section 501 of this
534 act, matters concerning families with service needs, contested matters
535 involving termination of parental rights or removal of guardian
536 transferred from the Probate Court and the emancipation of minors,
537 but does not include matters of guardianship and adoption or matters
538 affecting property rights of any child or youth over which the Probate
539 Court has jurisdiction, except that appeals from probate concerning
540 adoption, termination of parental rights and removal of a parent as
541 guardian shall be included.

542 Sec. 18. Section 46b-124 of the 2012 supplement to the general
543 statutes is repealed and the following is substituted in lieu thereof
544 (*Effective October 1, 2012*):

545 (a) For the purposes of this section, "records of cases of juvenile
546 matters" includes, but is not limited to, court records, records
547 regarding juveniles maintained by the Court Support Services
548 Division, records regarding juveniles maintained by an organization or
549 agency that has contracted with the Judicial Branch to provide services
550 to juveniles, records of law enforcement agencies including
551 fingerprints, photographs and physical descriptions, and medical,
552 psychological, psychiatric and social welfare studies and reports by
553 juvenile probation officers, public or private institutions, social
554 agencies and clinics.

555 (b) All records of cases of juvenile matters, as provided in section
556 46b-121, as amended by this act, except delinquency proceedings, or
557 any part thereof, and all records of appeals from probate brought to
558 the superior court for juvenile matters pursuant to section 45a-186,

559 shall be confidential and for the use of the court in juvenile matters,
560 and open to inspection or disclosure to any third party, including bona
561 fide researchers commissioned by a state agency, only upon order of
562 the Superior Court, except that: (1) The records concerning any matter
563 transferred from a court of probate pursuant to section 45a-623 or
564 subsection (g) of section 45a-715 or any appeal from probate to the
565 superior court for juvenile matters pursuant to subsection (b) of section
566 45a-186 shall be available to the court of probate from which such
567 matter was transferred or from which such appeal was taken; (2) such
568 records shall be available to (A) the attorney representing the child or
569 youth, including the Division of Public Defender Services, in any
570 proceeding in which such records are relevant, (B) the parents or
571 guardian of the child or youth until such time as the child or youth
572 reaches the age of majority or becomes emancipated, (C) an adult
573 adopted person in accordance with the provisions of sections 45a-736,
574 45a-737 and 45a-743 to 45a-757, inclusive, (D) employees of the
575 Division of Criminal Justice who in the performance of their duties
576 require access to such records, (E) employees of the Judicial Branch
577 who in the performance of their duties require access to such records,
578 (F) another court under the provisions of subsection (d) of section 46b-
579 115j, (G) the subject of the record, upon submission of satisfactory
580 proof of the subject's identity, pursuant to guidelines prescribed by the
581 Office of the Chief Court Administrator, provided the subject has
582 reached the age of majority or has been emancipated, (H) the
583 Department of Children and Families, and (I) the employees of the
584 Division of Public Defender Services who, in the performance of their
585 duties related to Division of Public Defender Services assigned
586 counsel, require access to such records; and (3) all or part of the
587 records concerning a youth in crisis with respect to whom a court
588 order was issued prior to January 1, 2010, may be made available to
589 the Department of Motor Vehicles, provided such records are relevant
590 to such order. Any records of cases of juvenile matters, or any part
591 thereof, provided to any persons, governmental and private agencies,
592 and institutions pursuant to this section shall not be disclosed, directly
593 or indirectly, to any third party not specified in subsection (d) of this

594 section, except as provided by court order or in the report required
595 under section 54-76d or 54-91a.

596 (c) All records of cases of juvenile matters involving delinquency
597 proceedings, or any part thereof, shall be confidential and for the use
598 of the court in juvenile matters and shall not be disclosed except as
599 provided in this section.

600 (d) Records of cases of juvenile matters involving delinquency
601 proceedings shall be available to (1) Judicial Branch employees who, in
602 the performance of their duties, require access to such records, and (2)
603 employees and authorized agents of state or federal agencies involved
604 in (A) the delinquency proceedings, (B) the provision of services
605 directly to the child, or (C) the design and delivery of treatment
606 programs pursuant to section 46b-121j. Such employees and
607 authorized agents include, but are not limited to, law enforcement
608 officials, state and federal prosecutorial officials, school officials in
609 accordance with section 10-233h, court officials including officials of
610 both the regular criminal docket and the docket for juvenile matters
611 and officials of the Division of Criminal Justice, the Division of Public
612 Defender Services, the Department of Children and Families, the Court
613 Support Services Division and agencies under contract with the
614 Judicial Branch. Such records shall also be available to (i) the attorney
615 representing the child, including the Division of Public Defender
616 Services, in any proceeding in which such records are relevant, (ii) the
617 parents or guardian of the child, until such time as the subject of the
618 record reaches the age of majority, (iii) the subject of the record, upon
619 submission of satisfactory proof of the subject's identity, pursuant to
620 guidelines prescribed by the Office of the Chief Court Administrator,
621 provided the subject has reached the age of majority, (iv) law
622 enforcement officials and prosecutorial officials conducting legitimate
623 criminal investigations, (v) a state or federal agency providing services
624 related to the collection of moneys due or funding to support the
625 service needs of eligible juveniles, provided such disclosure shall be
626 limited to that information necessary for the collection of and
627 application for such moneys, and (vi) members and employees of the

628 Board of Pardons and Paroles and employees of the Department of
629 Correction who, in the performance of their duties, require access to
630 such records, provided the subject of the record has been convicted of
631 a crime in the regular criminal docket of the Superior Court and such
632 records are relevant to the performance of a risk and needs assessment
633 of such person while such person is incarcerated, the determination of
634 such person's suitability for release from incarceration or for a pardon,
635 or the determination of the supervision and treatment needs of such
636 person while on parole or other supervised release. Records disclosed
637 pursuant to this subsection shall not be further disclosed, except that
638 information contained in such records may be disclosed in connection
639 with bail or sentencing reports in open court during criminal
640 proceedings involving the subject of such information.

641 (e) Records of cases of juvenile matters involving delinquency
642 proceedings, or any part thereof, may be disclosed upon order of the
643 court to any person who has a legitimate interest in the information
644 and is identified in such order. Records disclosed pursuant to this
645 subsection shall not be further disclosed, except as specifically
646 authorized by a subsequent order of the court.

647 (f) Records of cases of juvenile matters involving delinquency
648 proceedings, or any part thereof, shall be available to the victim of the
649 crime committed by such child to the same extent as the record of the
650 case of a defendant in a criminal proceeding in the regular criminal
651 docket of the Superior Court is available to a victim of the crime
652 committed by such defendant. The court shall designate an official
653 from whom such victim may request such information. Records
654 disclosed pursuant to this subsection shall not be further disclosed,
655 except as specifically authorized by a subsequent order of the court.

656 (g) Information concerning a child who has escaped from a
657 detention center or from a facility to which he has been committed by
658 the court or for whom an arrest warrant has been issued with respect
659 to the commission of a felony may be disclosed by law enforcement
660 officials.

661 (h) Nothing in this section shall be construed to prohibit any person
662 employed by the Judicial Branch from disclosing any records,
663 information or files in his possession to any person employed by the
664 Division of Criminal Justice as a prosecutorial official, inspector or
665 investigator who, in the performance of his duties, requests such
666 records, information or files, or to prohibit any such employee of said
667 division from disclosing any records, information or files in his
668 possession to any such employee of the Judicial Branch who, in the
669 performance of his duties, requests such records, information or files.

670 (i) A state's attorney shall disclose to the defendant or his counsel in
671 a criminal prosecution, without the necessity of a court order,
672 exculpatory information and material contained in any record
673 disclosed to such state's attorney pursuant to this section and may
674 disclose, without a court order, information and material contained in
675 any such record which could be the subject of a disclosure order.

676 (j) Notwithstanding the provisions of subsection (d) of this section,
677 any information concerning a child that is obtained during any mental
678 health screening or assessment of such child, during the provision of
679 services pursuant to subsection (b) of section 46b-149, or during the
680 performance of an educational evaluation pursuant to subsection (e) of
681 section 46b-149, shall be used solely for planning and treatment
682 purposes and shall otherwise be confidential and retained in the files
683 of the entity providing such services or performing such screening,
684 assessment or evaluation. Such information may be further disclosed
685 only for the purposes of any court-ordered evaluation or treatment of
686 the child or provision of services to the child, or pursuant to sections
687 17a-101 to 17a-101e, inclusive, 17b-450, 17b-451 or 51-36a. Such
688 information shall not be subject to subpoena or other court process for
689 use in any other proceeding or for any other purpose.

690 (k) Records of cases of juvenile matters involving delinquency
691 proceedings, or any part thereof, containing information that a child
692 has been convicted as delinquent for a violation of subdivision (e) of
693 section 1-1h, subsection (c) of section 14-147, subsection (a) of section

694 14-215, section 14-222, subsection (b) of section 14-223, subsection (a),
 695 (b) or (c) of section 14-224, section 30-88a or subsection (b) of section
 696 30-89, shall be disclosed to the Department of Motor Vehicles for
 697 administrative use in determining whether administrative sanctions
 698 regarding such child's motor vehicle operator's license are warranted.
 699 Records disclosed pursuant to this subsection shall not be further
 700 disclosed.

701 (l) Records of cases of juvenile matters involving adoption
 702 proceedings, or any part thereof, shall be confidential and may only be
 703 disclosed pursuant to sections 45a-743 to 45a-757, inclusive.

704 Sec. 19. Subdivision (2) of subsection (a) of section 45a-727 of the
 705 general statutes is repealed and the following is substituted in lieu
 706 thereof (*Effective October 1, 2012*):

707 (2) The application shall incorporate a declaration that to the best of
 708 the knowledge and belief of the declarant there is no other proceeding
 709 pending or contemplated in any other court affecting the custody of
 710 the child to be adopted, or if there is such a proceeding, a statement in
 711 detail of the nature of the proceeding and affirming that the proposed
 712 adoption would not conflict with or interfere with the other
 713 proceeding. The court shall not proceed on any application which does
 714 not contain such a declaration. [The application shall be signed by one
 715 or more of the parties to the agreement, who may waive notice of any
 716 hearing on it.] For the purposes of this declaration, visitation rights
 717 granted by any court shall not be considered as affecting the custody of
 718 the child.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	17a-1(3)
Sec. 2	<i>October 1, 2012</i>	17a-4(a)
Sec. 3	<i>October 1, 2012</i>	17a-4a
Sec. 4	<i>October 1, 2012</i>	17a-28(d)
Sec. 5	<i>October 1, 2012</i>	17a-28(g)

Sec. 6	<i>October 1, 2012</i>	17a-32
Sec. 7	<i>October 1, 2012</i>	17b-221a
Sec. 8	<i>October 1, 2012</i>	17a-101
Sec. 9	<i>October 1, 2012</i>	17a-101a
Sec. 10	<i>October 1, 2012</i>	17a-101e
Sec. 11	<i>October 1, 2012</i>	17a-101i(e)
Sec. 12	<i>October 1, 2012</i>	17a-101o(b)
Sec. 13	<i>October 1, 2012</i>	17a-103(a)
Sec. 14	<i>October 1, 2012</i>	52-259a(a)
Sec. 15	<i>from passage</i>	17a-107
Sec. 16	<i>October 1, 2012</i>	New section
Sec. 17	<i>October 1, 2012</i>	46b-121(a)(1)
Sec. 18	<i>October 1, 2012</i>	46b-124
Sec. 19	<i>October 1, 2012</i>	45a-727(a)(2)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact to the Department of Children and Families (DCF), the state, or municipalities associated with various changes to statutes concerning DCF.

House "A" allows DCF to file a petition of adoption with the Superior Court for Juvenile Matters and does not result in a fiscal impact. Currently, the Superior Court for Juvenile Matters makes a ruling on the termination of parental rights, but the case must be sent to the Probate Court for the adoption to be finalized.¹ DCF must still prepare and submit a study with its petition as before.

The Out Years

State Impact: None

Municipal Impact: None

¹ There were 590 disposed terminations of parental rights cases in FY 11.

OLR Bill Analysis**sHB 5217 (as amended by House "A")******AN ACT CONCERNING REVISIONS TO STATUTES CONCERNING
THE DEPARTMENT OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill permits the Department of Children and Families (DCF) to file adoption petitions in the Superior Court, instead of the probate court, when the prospective adoptive child's biological parents' rights have been terminated by that court. However, the law, unchanged by the bill, still requires these petitions to be filed in probate court, thus it is not clear whether the Superior Court adoptions would be legally binding (see COMMENT).

The bill sets up a parallel process for superior court adoption proceedings. It requires that all of the studies and other court documents filed in the termination proceedings be made available to the court and requires DCF to prepare a social study similar to what it currently prepares for the probate court. The study is admissible in evidence, and the person preparing it is subject to examination in court.

The bill requires the Superior Court to (1) set times and dates for hearings on these petitions and (2) provide notice to the parties to the agreement and certain others. It entitles the adoptive parent to access records and other information relating to the child's history, provided these records are disclosed in accordance with the confidentiality laws. The bill also eliminates a requirement relative to probate court adoptions.

The bill also makes several changes in other law governing DCF. It:

1. changes the appointing authority and composition of the State Advisory Council on Children and Families and increases the number of consecutive terms members may serve;
2. directs the DCF commissioner, instead of the council, to appoint certain members of the Children's Behavioral Health Advisory Committee;
3. allows additional DCF records to be disclosed without the consent of the person who is the subject of the record, and places additional limits on how DCF records that are legally disclosable can be further disclosed;
4. requires individuals who falsely report child abuse or neglect to be referred to the chief state's attorney for criminal investigation; and
5. exempts DCF attorneys from having to pay certain court fees.

The bill also renames:

1. Riverview Hospital for Children and Youth (which is on the campus of Connecticut Valley Hospital in Middletown) the Albert J. Solnit Children's Center—South Campus and
2. Connecticut Children's Place in East Windsor the Albert J. Solnit Children's Center—North Campus (§ 6).

Finally, the bill makes technical changes.

*House Amendment "A" (1) adds the provisions concerning adoptions and (2) eliminates the underlying bill's repeal of a land conveyance in Middletown.

EFFECTIVE DATE: October 1, 2012, except that a technical change related to DCF regulations for reports of child abuse and neglect is effective upon passage.

SUPERIOR COURT AUTHORIZED TO FINALIZE ADOPTIONS (§§ 501 - 503)

The bill permits the DCF commissioner to file an adoption petition along with a written adoption agreement in the Superior Court when (1) that court has granted a petition to terminate the parental rights, (2) the court has appointed DCF as statutory parent, and (3) the appeal or period to appeal the termination has expired. The petition must be filed in the same court that terminated the parental rights. Currently, these adoption agreements can be filed only in the probate court, and the law continues to require them to be filed in probate court (see COMMENT).

Studies

The bill requires all social studies, psychological reports, and court documents previously filed in the termination proceeding to be available to the court, subject to the rules of evidence, for the court's review and consideration in acting upon the adoption petition. The court must protect the biological relatives' confidentiality, to the extent possible, unless the information was previously disclosed. Any studies and reports filed with the petition or after must be available to the adoptive parents.

The bill requires DCF to prepare and submit with its petition a social study regarding the proposed adoption. This study must at least include enough information required in reports currently filed with the probate court in adoptions under its jurisdiction. This includes enough information about the child and the parties to the adoption agreement, including their physical and mental status, to enable the court to determine whether the adoption is in the child's best interest.

All studies and reports are admissible in evidence subject to the right of any interested party to require that the person making it appear as a witness, if available, and be subject to examination. Here again, the court must protect the biological relatives' confidentiality, to the extent possible, unless the information was previously disclosed.

Hearings and Court Actions

The bill requires the Superior Court, once it receives such petitions and social studies, to set a time and date for a hearing and give reasonable notice to (1) DCF and all other parties of the agreement; (2) the child, if he or she is over age 12; (3) the child's attorney; and (4) any other parties that the court requires.

Before acting on the petition, the court can continue the matter for further investigation and report, issue orders of notice, or take other action. At the hearing, the court can deny the petition or, if it is satisfied that the adoption is in the child's best interest, enter a decree approving the adoption.

Records

Under the bill, adoptive parents are entitled to receive copies of the records and other information relating to the child's history, as maintained by the DCF commissioner. Such records must be edited, if required by law, to protect the biological parents' identify and the identify of any other person whose identity is confidential.

The bill provides that records of cases of juvenile matters involving adoption proceedings, or any part of these records, are confidential and can only be disclosed in accordance with the law governing the availability and confidentiality of adoption records.

Elimination of Requirement that Probate Court Adoption Applications Be Signed (§ 504)

The bill eliminates (1) a requirement that probate court adoption applications be signed by one or more of the parties to the adoption agreement and (2) the authority these parties have to waive notice of the hearing on the agreement.

ADVISORY COUNCIL ON CHILDREN AND FAMILIES (§ 2)

By law, this council is composed of 19 members. The bill decreases the number of gubernatorial appointments and gives these appointments to DCF Regional Advisory Councils (which advise the

DCF commissioner on service development and delivery in those areas). It also makes changes to the council's composition, as shown in Table 1.

Table 1: State Advisory Council on Children and Families

<i>Composition</i>	<i>Current Law</i>	<i>The Bill</i>
Gubernatorial appointments	19	13
Representatives of young people, parents, and others interested in service delivery to children and youth	Balance of council after at least nine designated appointments	7
Child care professionals	At least 5	At least 2 (practically speaking, it cannot be more than two)
Parents, foster parents, or family members of children receiving DCF behavioral health, child welfare, or juvenile services	50% of council	4
Regional Advisory Council appointments		
Members representing the councils	0	6

The bill also increases from two to three the number of consecutive two-year terms council members may serve.

Under current law, no more than half of the council members can receive income from (1) the practice of, or (2) any public agency that delivers, mental health, substance abuse, child abuse prevention and

treatment, or child welfare or juvenile services. Under the bill, this limitation does not apply between the October 1, 2012 and October 1, 2014.

CHILDREN'S BEHAVIORAL HEALTH ADVISORY COMMITTEE (§ 3)

The Children's Behavioral Health Advisory Committee promotes and enhances the provision of children's behavioral health services in the state. Its members include state agency heads and public members appointed by the governor and legislative leaders. Currently, the State Advisory Council on Children and Families appoints 16 members. The bill directs the DCF commissioner to make these appointments instead.

The bill also requires the council to submit its (1) annual report on local systems of care and practice standards for state-funded behavioral health programs and (2) biennial (in odd-numbered years) recommendations concerning children's behavioral health to the DCF commissioner as well as the State Advisory Council on Children and Families.

DCF RECORDS (§§ 4 & 5)

Additional Disclosures

DCF records are generally confidential but can be disclosed with the consent of the person who is the subject of them and without consent under certain circumstances. Under current law, when records are legally disclosed, they cannot be further disclosed except (1) when the disclosure pertains to the licensure of a child care facility and is otherwise permitted by DCF law or (2) by a court order. The bill also allows further disclosure when the law otherwise provides for it.

Disclosures Allowed Without Consent

The law requires disclosure without the person's consent to the chief public defender (CPD) or her designee. The bill provides that such disclosures are allowed for purposes of competent representation by the attorneys with whom the CPD contracts to provide legal and guardian ad litem services to the records' subjects and for ensuring accurate payments for services these attorneys provide. (Currently, the

office of the CPD is consolidating the operations of the former Commission on Child Protection, whose duties included hiring attorneys to represent families in these proceedings and which was eliminated per PA 11-51, into that agency.)

The bill also requires DCF to disclose this information to school superintendents for the purpose of determining a potential employee's suitability for a job in a public school. By law, applicants for public school positions must submit to both criminal history records and in most cases, DCF child abuse registry checks. The bill also requires such disclosures to (1) public school superintendents, (2) the executive director or other head of a public or private institution for children providing care to children, or (3) a private school with respect to the laws governing alleged child abuse or neglect involving school personnel (see BACKGROUND).

Under current law, DCF can disclose information without consent to DMV for the purpose of conducting criminal history background checks (which include checks of the DCF abuse registry) for prospective school bus drivers. The information she may disclose includes that related to abuse or neglect investigations and information in the child abuse and neglect registry. The bill permits DCF to disclose information in the registry only, provided the disclosure is made in accordance with the law, which generally prohibits disclosure until an alleged perpetrator of abuse or neglect has exhausted appeals of a child abuse or neglect substantiation.

FALSE REPORTS OF ABUSE OR NEGLECT (§ 10)

By law, anyone who knowingly makes a false report of child abuse or neglect can be fined up to \$2,000, imprisoned for up to one year, or both. The bill requires that anyone who is alleged to have made such a false report be referred to the office of the chief state's attorney for purposes of a criminal investigation. Reports of child abuse and neglect typically go either to DCF's hotline or local police.

DCF EXEMPT FROM PAYING COPY FEES (§ 14)

The bill exempts DCF attorneys acting in their official capacity from having to pay a variety of court filing fees. Current law already exempts other enumerated state agencies' attorneys from paying these fees.

COMMENT

Ability of DCF to File Adoption Petitions in Superior Court

The bill permits DCF to file certain adoption petitions in the Superior Court. But the law (CGS § 45a-727(a)), unchanged by the bill, requires adoption petitions to be filed in the probate court.

BACKGROUND

PA 11-93

This act expanded the law governing the reporting and investigation of suspected child abuse and neglect, with particular focus on school employees who are the alleged perpetrators and the response of local or regional school districts and private schools and facilities.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute Change of Reference
Yea 8 Nay 0 (03/08/2012)

Human Services Committee

Joint Favorable
Yea 16 Nay 0 (03/22/2012)

Government Administration and Elections Committee

Joint Favorable
Yea 11 Nay 0 (04/18/2012)

Judiciary Committee

Joint Favorable

Yea 39 Nay 1 (04/25/2012)